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Underage Drunk Driving: A Profile and 10-Year Follow-Up

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UNDERAGE DRUNK DRIVING: A PROFILE AND 10-YEAR FOLLOW-UP

INTRODUCTION

The crime of driving under the influence of liquor (DUIL) has consistently represented a significant part of daily court activity across the Commonwealth. Similarly, considerable Public Health resources have been allocated to address treatment concerns.

In the last 20 years, annual arraignments for DUIL in Massachusetts have ranged from a high of 39,912 (in 1984) to 18,809 in 1998.

While considerable research has been published about DUIL, little has been published about "underage" drunk drivers – that is, people charged in adults courts who are not yet old enough to legally drink.

This study follows a random sample of 117 "underage" DUIL cases for 10-12 years. This study of "underage" drunk drivers is believed to be the first longitudinal profile of this population in the Commonwealth.

METHOD

The Massachusetts Office of the Commissioner of Probation (OCP) selected four sample weeks over an 18-month span in the 1980's to analyze a random sample of Driving Under the Influence of Liquor arraignments in courts across the state. A random sample of DUIL arraignments from one week in each of these sample months were included in the analysis: July, 1984; January, 1985, July 1985; January, 1986. Recognizing that the legal drinking age changed from 20 to 21 on June 1, 1985, the analysis adjusted the "underage" cut-off accordingly for each monthly sample. A sub-set of 117 people 17-20 years of age was created from the random sample of 1,122 DUIL arraignments.

Data for this study were drawn from the Massachusetts Court Activity Record Information (CARI) file, which is a comprehensive computer record of arraignment and dispositions.

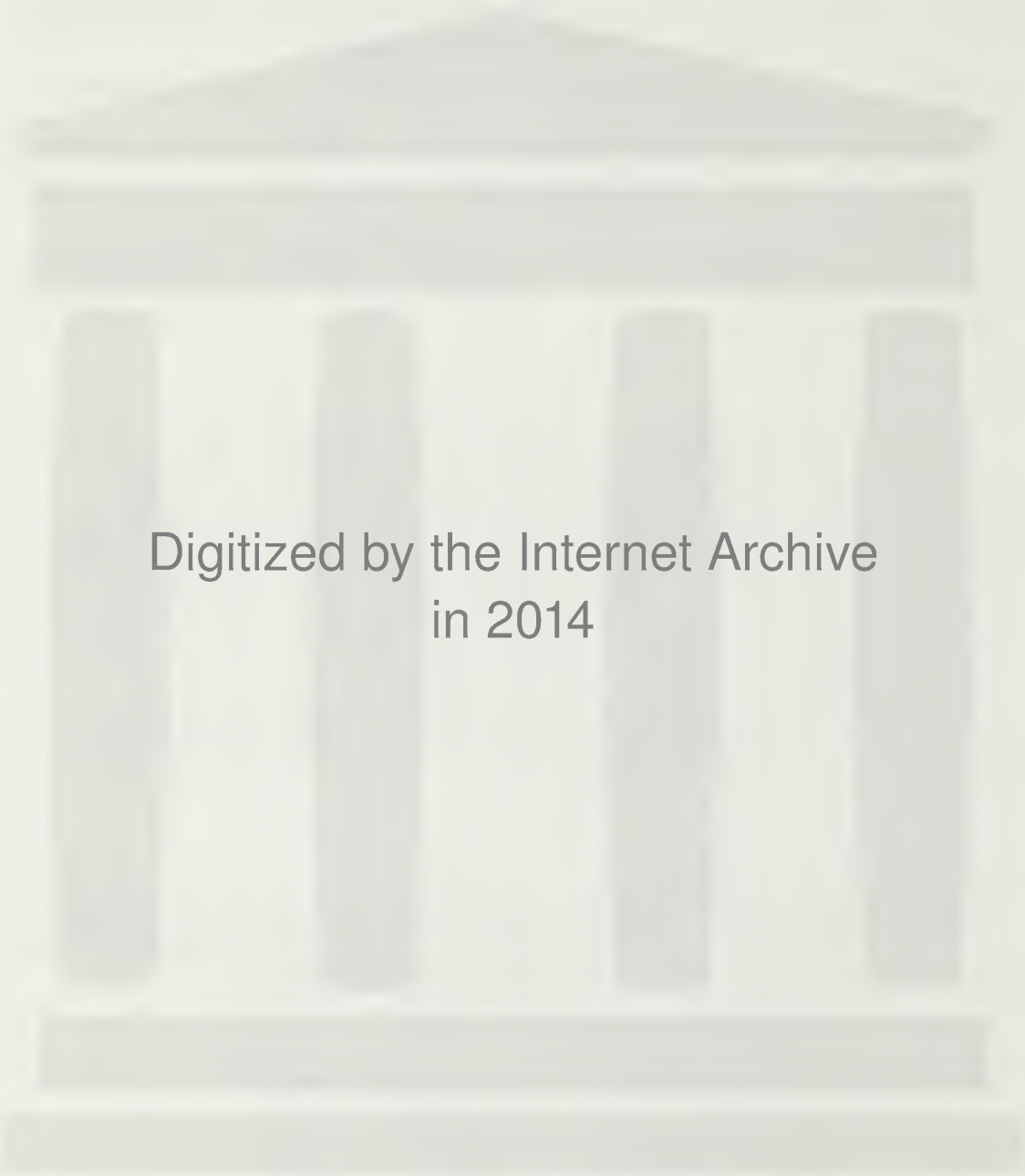
BACKGROUND

While this study focuses on DUIL cases in the adult court, "underage" drunk driving spans across the adult and juvenile courts. The juvenile court processed a limited but increasing number of DUIL cases in each of the five years (1993-1997) (see Table 1)

Table 1:
Statewide Total of Juveniles Charged with DUIL (1993-1997)

1993	1994	1995	1996	1997
38	44	47	56	68

Source: All Offenses Reports for Juveniles [by year], Office of the Commissioner of Probation



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In the annual All Offenses database, as few as 38 (in 1993) and as many as 68 (in 1997) juveniles *under the age of 17* were charged with DUIL. Keep in mind that this population largely includes adolescents who are neither old enough to drive nor drink. Clearly, the number of "underage" drunk driver reaches down to the juvenile court; the total is slowly climbing.

In addition, the frequency of juvenile probationers with alcohol abuse problems has been steadily climbing – from 25% of the juveniles under probation supervision in 1987/88 to nearly 42% in 1997 (see Table 2).

Table 2:
Percentage of Juveniles Under Probation Supervision with Alcohol Abuse

1987/88	1989	1990	1991	1992	1993	1994	1995	1996	1997
24.6%	24.2	24.3	20.9	24.1	26.4	32.7	34.1	40.0	41.7

Source: Risk/Need Summary Reports [by year], Office of the Commissioner of Probation

The number of juveniles charged with motor vehicle homicide has also increased, ranging from 3 in 1994 to 10 in 1997. These various trends are disturbing. Seeing an emerging pattern of greater alcohol abuse by teenagers, coupled with a rising incidence of drunk driving and even motor vehicle homicide crimes by adolescents, points to a need for greater understanding of this small, but significant population of drunk drivers.

FINDINGS

Age at Arraignment

Data in Table 3 show that 11% of the "underage" drunk drivers in this sample were as young as 17. This study of "Underage" drunk drivers included 117 individuals. This represented 10% of the total sample.

Table 3: Age at Arraignment (Target DUIL Offense)

Age	Number of Persons	Percent of Total
17	13	11%
18	30	26
19	42	36
20	32	27
TOTAL	117	100%

Gender

Nearly 90% of the "underage" drunk drivers in this study were male (n=105) and 10% were female (n=12).

Delinquency History

Twenty-five percent (25%) of the "underage" drunk drivers in this study had a juvenile record. Nearly 31% of the sample population had been previously charged with a prior public order crime; 22% had a previous motor vehicle offense (excluding DUIL), and 10% had a juvenile arraignment for a crime against persons. Over 9% had a prior arraignment for a drug offense.

Table 4: Delinquency History by Crime Category (arraignments)

Crime Category	Number	Percent
Crimes Against Person	12	10.3%
Crimes Against Property	27	23.1%
Motor Vehicle (not DUIL)	26	22.2%
Public Order Crimes	36	30.8%
Drug offenses	11	9.4%

Not surprisingly, motor vehicle offenses had the highest incidence of repeat delinquency charges: over 58% of those with a motor vehicle crime had more than two priors; nearly 17% of those with a prior motor vehicle crime had 4-9 prior offenses in this crime category.

Prior DUIL Arraignments/Convictions

Analysis of prior history of drunk driving indicates that 17.1% of these "underage" DUIL offenders had at least one prior arraignment for driving under the influence of liquor and 16% had at least one prior conviction; 3% of the total had two or three prior DUIL convictions. Considering the young age of these individuals, the past drinking and driving history among a sub-set of the population is disturbing harbinger of future alcohol abuse.

Outcome for Instant Offense

Only 3% of the "underage" DUIL offenders were found not guilty; 80% were found guilty. 7% were continued without a finding, 7% were dismissed and 3% were nol prossed.

Of those 99 individuals who were found guilty or whose cases were continued without a finding, the majority (n=76) were placed under probation supervision.

Recidivism

The random sample of 117 young adults charged with OUI during the 1980's were followed for 10 years, and 42% were subsequently charged with at least one DUIL. Ninety percent of those subsequently charged were convicted. Males accounted for 96% of the recidivists, compared to 90% of the original "underage" sample being male.

Among those who were subsequently charged with drunk driving, 63% were charged within 18 months of the "instant offense".

One "underage" drunk driver had as many as many as 5 DUIL cases within the 10 years follow-up period.

In addition to the DUIL offenses, these data also show that 60% of this "underage" population had at least one subsequent motor vehicle offense. These recidivism results are discouraging, considering this youthful population is clearly entrenched in reckless driving patterns from early in their lives.

Table 5: Recidivism Rates (subsequent arraignments)

Offense/Offense Category	Number	Percentage
Motor Vehicle (excl. DUIL)	70	60%
Public Order	49	42%
Property Offense	40	34%
Person Offense	29	25%
Drugs	24	21%
Driving Under Influence Liquor	49	42%

SUMMARY

Analysis of this sample of 117 individuals who were 17-20 years of age when charged with Driving Under the Influence of Liquor highlights the importance of early intervention with this "underage" population. Repeat offending seems to be a common theme. One out of six of these young people had a prior history of drunk driving as a teenager -- and nearly one out of two had at least one subsequent DUIL case. Nearly two-thirds of the recidivism occurred within 18 months of the "instant offense".

The increasing incidence of juvenile probationers with alcohol problems underscores the probability that the courts may see a greater number of alcohol-related driving offenses as these juveniles "age" into the adult court. The clear pattern of reckless driving habits are also cause for concern. The small, but rising number of motor vehicle homicide cases where the driver was a juvenile raises another alarm.

For some offenders, drinking and driving which begins in the teen years will continue unabated into adulthood ... making treatment in the adult court all the more difficult.